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OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

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April 15, 2015

Honorable Toni Preckwinkle
and Members of the Board of Commissioners
of Cook County, Illinois
118 North Clark Street
Chicago, Illinois 60602

Re: Independent Inspector General Quarterly Report (1st Qtr. 2015)

Dear President Preckwinkle and Members of the Board of Commissioners:

This report is written in accordance with Section 2-287 of the Independent Inspector General Ordinance, Cook County, Ill., Ordinances 07-O-52 (2007), to apprise you of the activities of this office during the time period beginning January 1, 2015 through March 31, 2015.

OIIG Complaints

The Office of the Independent Inspector General (OIIG) received a total of 97 complaints during this reporting period.¹ Please be aware that 6 OIIG investigations have been initiated. This number also includes those investigations resulting from the exercise of my own initiative (OIIG Ordinance, Sec. 2-284(2)). Additionally, 32 OIIG case inquiries have been initiated during this reporting period while a total of 160 OIIG case inquiries remain pending at the present time. There have been 9 matters referred to management or other enforcement or prosecutorial agencies for further consideration.

In connection with the recently opened investigations by the OIIG, the following is a general description of the issues and allegations under review:

¹ Upon receipt of a complaint, a triage/screening process of each complaint is undertaken. In order to streamline the OIIG process and maximize the number of complaints that will be subject to review, if a complaint is not initially opened as a formal investigation, it may also be reviewed as an "OIIG inquiry." This level of review involves a determination of corroborating evidence before opening a formal investigation. When the initial review reveals information warranting the opening of a formal investigation, the matter is upgraded to an "OIIG Investigation." Conversely, if additional information is developed to warrant the closing of the OIIG Inquiry, the matter will be closed.

- Use of Cook County assets for a private purpose;
- Post-SRO complaint within the Office of the Recorder of Deeds;
- Failure of HHS to adhere to established policy;
- Cook County Employment Plan violations;
- Falsification of Cook County records;
- Operational review of the Department of Animal and Rabies Control.

The OIIG currently has a total of 55 matters under investigation. The number of open investigations beyond 180 days of the issuance of this report is 49 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.

OIIG Summary Reports

During the 1st Quarter of 2015, the OIIG issued 19 summary reports. The following is a general description of each matter and whether an OIIG recommendation for remediation/discipline has been adopted, if applicable, due to the time permitted for corrective action. Specific identifying information is being withheld in accordance with the OIIG Ordinance where appropriate.

IIG13-0053. This review was conducted to determine whether attorneys who appear before the Cook County Board of Review (BOR) seeking tax reductions for their clients also make contributions to the political campaigns of the BOR Commissioners. An important additional purpose of this review was to determine whether procedures have been put in place to detect and eliminate any conflicts of interest and even the appearance of impropriety relating to such campaign contributions.

We reviewed the BOR's case docket to identify attorneys who appeared before the BOR seeking a tax assessment reduction and selected 26 attorneys, one attorney from each letter of the alphabet, for our sample. Next, we reviewed the Illinois State Board of Elections' database to determine whether the attorneys in our sample made campaign contributions to the BOR Commissioners. We also reviewed and included contributions made by the attorneys' spouses and employers in our data field. We found that contributions were made by 10 of the 26 attorneys in our sample (either by the individual or by his or her employer or both) from 1999 through 2013 in an amount totaling \$326,250. Additional analysis revealed that three attorneys (and/or their employers) from the sample contributed a combined total of \$226,175 (69%) of the \$326,250 contributed during that period.

Because money is being contributed to people having the ability to decide matters for individuals where those individuals may be affected differently than members of the general public, the possibility exists that a conflict of interest exists or that one may appear to exist. That is not to say that our review determined that members of the BOR were actually influenced by campaign contributions or otherwise engaged in any wrongdoing. However, absent adequate safeguards, an appearance of impropriety will continue to exist in such circumstances. Thus, unless protocols are put in place to minimize the potential for abuse and the appearance of

impropriety, the public's confidence in its government will be lacking which in turn diminishes the credibility of the public agency at issue, the BOR in this case.

While the BOR does have an Ethics Policy containing a section regarding conflicts of interest, that section does not adequately resolve the issues identified in this report. First, the conflict of interest section does not specifically address the issue of campaign contributions made by those appearing before the BOR. Second, the conflict of interest section in the BOR Ethics Policy applies almost exclusively to employees of the BOR other than the elected BOR Commissioners. Likewise, while the BOR Ethics Policy has a provision relating to limitations on contributions to candidates and BOR elected officials, that generally deals with persons or entities doing business with the BOR, such as contractors and not to attorneys who appear before the BOR.

Based on our review and findings, the OIIG recommended (i) that the BOR should enact a provision in the BOR Ethics Policy prohibiting BOR Commissioners (and those running for such office) from soliciting or accepting campaign contributions from attorneys and litigants who appear before them, (ii) that, should the BOR elect to reject the first recommendation, the BOR should consider whether policies can be implemented for the recusal of BOR Commissioners who receive campaign contributions from attorneys and litigants who appear before them; and (iii) the BOR should revise the BOR Ethics Policy to include BOR officials and not just employees to the prohibitions against conflicts of interest and to avoiding the appearance of impropriety and to extending the mandatory written disclosure requirement of such conflicts or potential conflicts to BOR officials.

The BOR has not responded to our recommendations.

IIG14-0060. This case was initiated after the OIIG learned that a Cook County elected official provided a relative's resume to the Cook County Health and Hospitals System (CCHHS) CEO inquiring as to whether the relative would be appropriate for any direct appointment position within CCHHS. After the elected official initiated a conversation with the CEO and his Chief of Staff about employment for her relative, the Chief of Staff informed her that any recommendation from an elected official must be in writing and specify the official's personal knowledge of the candidate's experience to hold the position at issue. The elected official was also informed that the communication relating to this matter would be logged. The elected official continued to pursue the matter by calling the CEO and informing him that her relative was having trouble sending her resume by email. The CEO advised the elected official that her relative should review the department's website for posted jobs and apply for those for which she was qualified. When the relative informed the elected official that nothing was posted, the elected official again contacted the CEO and subsequently his Chief of Staff. The elected official stated during her OIIG interview that she was persistent because her relative needed to work before the expiration of a particular license she held. The evidence from the investigation confirmed that the subject elected official sought to influence an employment action involving a non-exempt position in Cook County government in violation of Section 44-56 of the Cook County Code which strictly prohibits the involvement of political factors in employment actions

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involving non-exempt positions. Our office recommended continued training for the elected official on these issues. We have not received a response to that recommendation.

IIG14-0092. This investigation involved a Post-SRO complaint filed pursuant to the *Supplemental Relief Order for Cook County* (“SRO”) entered in connection with the *Shakman v. Cook County*, 69 C 2145 (N.D. Ill.) litigation. The complainant is a former tradesman who was laid off in 2004. He alleged that his repeated failure to be rehired by Cook County is due to his lack of “inside connection.” The preponderance of the evidence developed in this investigation demonstrates that impermissible political factors were not considered in the employment decision made with respect to the complainant’s October 2013 application. Although the complainant asserts that he was a victim of political discrimination due to the fact that he was not hired by Cook County, the evidence indicates that the complainant was “randomized” out via the computerized selection process permitted by the Cook County Employment Plan and not due to political discrimination.

IIG14-0136. In this case, the OIIG was contacted by the Cook County Department of Risk Management with information indicating that several active County employees’ social security numbers were used to apply for unemployment benefits through the Illinois Department of Employment Security (IDES). It was not known how the social security numbers were obtained or who may have been involved with this fraudulent activity. The OIIG conducted an investigation and collaborated with other federal and local government agencies in an effort to determine the origin of the breach and certain suspects have been identified. The matter has been referred to federal agents for further investigation.

IIG14-0266. The Cook County Office of the Independent Inspector General, Office of the Auditor, and the Compliance Officer (together, “the survey team”) initiated a review and assessment of the manner in which the FLSA and the Cook County Supplemental Policy, issued on August 1, 2013, were being interpreted and applied in each department under the Offices of the President. Specifically, the focus of the project was to determine whether County employees who are exempt from the provisions of the FLSA have been granted overtime or compensatory time. Cook County does not have a policy allowing for the provision of overtime or compensatory time to FLSA exempt employees. This review initially involved interviews of select Directors and Bureau Chiefs (hereafter referred to as Directors) and several department timekeepers while other Directors who were not interviewed were sent a survey questionnaire. In total, interviews were conducted of 21 departmental timekeepers and 6 directors. Twenty-seven directors of offices under the Office of the President received questionnaires.

The review revealed that the offices under the Office of the President were generally in compliance with the FLSA and the Supplemental Policy. However, it should be noted that payroll information revealed there were 32 FLSA exempt employees within nine departments who had earned compensation time and/or overtime either before or after August 2013. Additionally, we determined that the departmental timekeepers are not knowledgeable concerning the FLSA and the Supplemental Policy since their primary responsibility is ensuring employee time is correctly entered into the timekeeping system. Several other issues pertaining

to time and attendance (tardiness, docked time, flex time and advance leave) were identified and include varied treatment among the departments.

Based upon the findings and conclusions of the review, the survey team made the following recommendations regarding FLSA/Supplemental Policy: (1) Cook County should consider issuing a clear statement reinforcing that FLSA exempt employees are not entitled to compensation time, overtime and days off in lieu of time worked over 40 hours per work week, (2) Cook County should ensure that relevant staff receive annual training regarding the FLSA and the Supplemental Policy, and (3) Cook County should issue guidance regarding those FLSA exempt employees who earned compensation time and overtime prior to August 1, 2013. With respect to time and attendance issues, we made the following additional recommendations: (1) Cook County should consider establishing uniform policies to guide Directors in managing tardiness issues absent specific requirements contained in the Collective Bargaining Agreements, (2) Cook County should consider developing a flex time policy, (3) the Comptroller's Office along with Human Resources should coordinate their efforts to establish standard payroll and time keeping policies and procedures to ensure there are uniform answers to time and attendance issues; and (4) Cook County should address the practice of advancing leave and consider eliminating the practice entirely due to the potential liability if an employee leaves County service prior to accruing sufficient time to pay back the advanced leave.

The OIIG made its initial recommendations on February 2, 2015 and sent a follow-up email on March 3, 2015 but has not received a response to its recommendations.

IIG14-0302. This investigation involved a Post-SRO complaint filed pursuant to the *Supplemental Relief Order for Cook County* ("SRO") entered in connection with the *Shakman v. Cook County*, 69 C 2145 (N.D. Ill.) litigation. The complainant is a former employee in the Cook County Department of Planning and Development who claimed that he was laid off as the result of unlawful political discrimination. After conducting its investigation and analyzing the timeliness of the complainant's claim, the OIIG determined that the complaint was not subject to review because of the application of the limitations period specified in Section V of the SRO.

IIG14-0319. This investigation was initiated in response to information received by this office from a member of the public. The complainant advised that after her son had a confrontation with hospital police officers at Stroger Hospital, her son was arrested for assault. The complainant related that while her son was in custody, the hospital police brought him to the Stroger Hospital Emergency Department under restraint for a psychiatric assessment, saying that her son had tried to kill himself. The complainant said her son was later transferred to the Madden Mental Health Center where he was held over a weekend because there was not an available doctor to see him. The complainant disputed the notion that her son had attempted to harm himself and stated her belief that the police intentionally caused her son to be sent to Madden in retaliation knowing there was no doctor available to see him on the weekend.

In addition, the complainant related that after her son was released from Madden, she visited the hospital police office with her son's property slip to pick-up his personal property that

was inventoried after his initial arrest. The complainant said she went by herself because she did not want to take a chance on her son having any problems with the police. The complainant advised that she talked to “the Director” who told her that her son would have to come-in and personally pick-up his property and there would be no problems.

The complainant related that when she returned to the police office with her son, the officer with whom her son had his previous confrontation put her son under arrest. She said she asked what her son was being charged-with and the officer said “assault” because “he said he’s going to f***-me-up.” The complainant related that the officer also told her that: “[y]ou should have just told us who you were” (a reference to the complainant being an officer with the Cook County Department of Corrections) “and asked for a professional courtesy,” but “[n]ow you’ve tied my hands because you went to the IG.” Based on the circumstances, the complainant concluded that the hospital police were retaliating against her son as the result of her filing a complaint with the OIIG.

During its investigation, the OIIG interviewed personnel, reviewed police reports, observed video surveillance of the complainant’s son in the police holding area, and reviewed hospital policies. The evidence developed did not support the allegation that the hospital police sent the complainant’s son to the mental health center in retaliation or that they retaliated against her son after the complainant filed a complaint with the OIIG. The evidence indicated that the hospital police took appropriate action based on the behavior of the complainant’s son.

IIG14-0338. This office received a complaint alleging that the complainant, a cigarette tax reward tipster, did not receive his reward for providing a tip to the Department of Revenue (DOR) regarding illegal cigarette sales. The tipster also alleged that his business was inspected by the DOR in retaliation following his confronting the Manager of Investigations about not receiving his reward.

Information for this investigation was obtained from DOR records/website, cell phone texts between the tipster and the Manager of Investigations and interviews with the tipster and DOR employees. This investigation also included a review of the DOR Cigarette Tax Reward Program relative to the tipster’s complaint. According to DOR records, the tipster had not reported any illegal cigarette sales tips via the Program website as is required to participate in the Program nor did the tipster obtain an assigned Program tip confirmation number as directed by the website. Accordingly, the tipster did not receive a Program award. During his interview with investigators of this office, the tipster omitted pertinent information and provided inconsistent testimony as to the chain of events and his interactions with the DOR. Additionally, the tipster could not provide any evidence of submitting a tip through the Program website or contact with the DOR tip hotline. The tipster subsequently communicated via telephone and text with the Manager of Investigations and admitted that, in anger, he had accused the Manager of Investigations of retaliation and keeping the tipster’s reward for himself. Accordingly, the complaint by the tipster was without merit and was not sustained.

IIG14-0355. This investigation was initiated in response to a complaint alleging that a contractor working in CCHHS Supply Chain Management (SCM) had been given access to the JD Edwards (JDE) System (more formally known as the JD Edwards One World Enterprise Resource Planning (ERP) System). The complainant questioned whether it was permissible for a County contractor, as opposed to a County employee, to be given access to such sensitive financial information. In addition, the complainant alleged that the CCHHS contractor was using the JDE login credentials of an employee of the Cook County Assessor's Office who had the same first and last name, but a different middle initial. The complainant also said the CCHHS contractor created and printed her own purchase orders, so in effect, she could pay herself.

The investigation revealed that there is currently no County policy against County contractors having access to JDE. In assessing the implications of there being a lack of policy in that regard, and in evaluating the potential risks, the OIIG considered the fact that currently there are only four non-County employees who have access to JDE. Two of those four individuals have had no activity on JDE since their User IDs were requested, and the remaining two non-County employees are both CCHHS contractors working for SCM. The provisions of both the CCHHS *Standards of Conduct* policy and the CCHHS *Conflict of Interest* policy are applicable to contractors, thus providing a mechanism to address a situation in which a contractor engages in improper conduct. In addition, all County contractors are subject to the Cook County Procurement Code, which provides sanctions and penalties for contractor misconduct. For these reasons, a recommendation for a policy specifically addressing contractor access to JDE is not warranted.

In connection with the CCHHS contractor preparing her own purchase orders, at first impression, it appears there is a conflict of interest in such circumstances. However, a careful review of the contractor payment process revealed the existence of numerous review and approval steps that represent internal controls providing sufficient safeguards to eliminate or mitigate the potential for wrongdoing in the contractor's billing. In fact, the preparation of a purchase order is an early step in the procurement process which is somewhat removed from the contractor's later submission of a Form 29A (with substantiation of her services) requesting payment. As a matter of due diligence, the OIIG also reviewed the payments made by the Cook County Comptroller's Office to the contractor for the calendar year 2010 through the 1st Quarter of 2014, and nothing unusual or otherwise remarkable was observed. Therefore, due to the existence of sufficient internal controls in the process, we do not believe that a change in protocol is warranted.

IIG14-0450. The OIIG developed information leading to this investigation following a desk audit of a Collections Analyst with the Cook County Department of Revenue. Specifically, initial information revealed the possibility that the Collections Analyst gave false information on her 2012 and 2013 employment applications with Cook County when she stated (1) that she possessed a college degree in her 2012 employment application and (2) that she possessed 120 college credit hours in two 2013 employment applications. After reviewing employment records from the Bureau of Human Resources and academic records from the subject's college and interviewing the subject, we found that the evidence supported the conclusion that the subject

had falsified her employment records in violation of Cook County Personnel Rules. In fact, during her OIIG interview, the subject admitted to investigators that she submitted false information because she knew that she would not otherwise be considered for the position. Our office recommended that the subject's employment be terminated and that she be ineligible for County employment for a period of five years. Disciplinary proceedings have been initiated.

IIG14-0454. The OIIG opened this investigation after receiving information from the Cook County Department of Risk Management suggesting that a clerk in the Cook County Health and Hospitals System filed a false injury on-duty report with the County. Specifically, we were informed that the subject clerk alleged that she sustained an injury from a fall at work although her medical records reflected that the fall occurred in a bathtub/shower at her home. In order to evaluate the subject allegation, this office reviewed the subject clerk's Employee Accident Report and related medical records. Additionally, this office interviewed the subject clerk along with other CCHHS employees, a Claims Adjuster from Risk Management and a Physician's Assistant who treated the subject clerk after her fall. The investigation revealed that the subject clerk had told both medical providers and co-workers that she had hurt herself by falling in a bathtub but that she later told Risk Management that she fell while on duty coming out of the break room so that she could make a claim for worker's compensation.

Based on the preponderance of the evidence developed during the course of this investigation, we determined that the subject clerk submitted a false accident report to Risk Management on or about September 26, 2014 in that she falsely reported that she slipped and fell in the break room at work while the evidence developed establishes that the injury occurred at her home on August 28, 2014. The subject clerk also provided similarly false information to both the Cook County Claims Adjuster and to OIIG investigators when she was subsequently interviewed. During our investigation, the subject clerk left County service. Therefore, rather than recommending termination of employment, we recommended that she be placed on the "Do Not Hire" list maintained by CCHHS. CCHHS adopted the OIIG's recommendation.

IIG14-0465. The OIIG initiated this investigation after receiving an allegation that an applicant for employment with the Cook County Forest Preserve District (FPD) provided false information during the application process. The issue was discovered when the applicant gave information in her interviews regarding her educational background that was different than what she provided on her online application. The OIIG reviewed information in the online application system and found that the subject had submitted over 500 applications to Cook County, the FPD, the Cook County Health and Hospitals System (CCHHS), and the Cook County Recorder of Deeds (CCRD). On at least 27 of her applications, the subject stated that she had a degree in particular fields of study from a local university. The OIIG subpoenaed records from the subject's alma mater and confirmed that the subject provided false information regarding her degree. During an interview with OIIG investigators, the subject admitted that she provided false information in her online application. The OIIG recommended that the subject be placed on lists at each of the respective Cook County entities where she applied making her ineligible for hire for a period of 5 years as provided by Cook County Ordinance. The OIIG also recommended that Cook County, CCRD, CCHHS and the FPD seek to modify their respective

Employment Plans so as to mutually honor the respective ineligibility lists of other Cook County government entities. As County ordinance also provides for fines between \$100 and \$500 and/or imprisonment for not more than six months for willfully providing false information in the application process, the OIIG further recommended that any department seeking to prosecute the subject contact the Cook County State's Attorney's Office. These recommendations are currently pending.

IIG14-0481. The OIIG initiated a compliance review of contractors providing services to Cook County Health and Hospitals System (CCHHS). The review sought to identify contractor violations of the CCHHS Procurement Policy and the Cook County Procurement Code, both of which require invoices being submitted by sole source contractors to include on their invoices the dates services were provided, a description of the work performed on each such date and the amount of time spent performing the work on each such date. During the review, the OIIG identified a contractor that submitted monthly invoices that lacked the details required by the procurement policies and used repetitive descriptions from month to month. Despite the lack of detail, the invoices were approved and paid in violation of the Procurement Code.

The failure to include the required information in the invoices poses two significant risks. First, it is impossible to determine how many hours a contractor is spending performing their work without such detail. Second, it is impossible to audit their work to confirm the work was actually performed. If CCHHS is unable to verify how much time a contractor spends performing their work, it cannot ascertain if a fair price is being paid for the services rendered or detect fraudulent practices. The Procurement Code was amended in September 2011 to include these requirements following the uncovering of a fraud scheme that was perpetuated because Cook County permitted service contractors to submit invoices reflecting very little detail to document the work performed.

Based on the findings of this compliance review, the OIIG recommended (1) that CCHHS procurement personnel create a form detailing the invoicing requirements which can be attached to contracts and acknowledged and signed by contractors, (2) that CCHHS personnel serving as project managers, the CCHHS Accounts Payable Department, and others involved in the invoicing process receive training regarding the requirements of the CCHHS Procurement Policy and the Cook County Procurement Code, (3) that relevant personnel in the Comptroller's Office receive similar training, and (4) that the Comptroller's Office refuse payment when invoices lack the requisite detail. CCHHS adopted our recommendations.

IIG14-0501. This matter involved a review of OIIG investigations that have been undertaken from 2012 through the present involving allegations of Cook County Health and Hospitals System (CCHHS) time and attendance abuses to assess the scope of time card fraud. The investigations involved CCHHS employees who worked at the John H. Stroger, Jr. Hospital, Provident Hospital, Oak Forest Health Center, Cermak Health Services and the Juvenile Temporary Detention Center. The time card fraud cases have implicated a range of issues from employees swiping in and then immediately leaving to park their vehicle, employees swiping in for others (who do not show-up for work), employees leaving during the day without

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authorization, employees leaving early for another job and employees swiping in at remote locations in order to avoid tardiness or to depart early. The subjects of the investigations involved a wide spectrum of positions, including a Department Chairman, physician, physician assistant, dentists, dental assistants, nurses, administrative assistants/aides, trades foremen, custodians, laborers and others. The subject investigations identified many instances of misconduct in time and attendance matters and, based on these findings, suggest the existence of a recurring and widespread pattern of time card fraud throughout CCHHS.

The existence of reoccurring incidents of time card fraud are directly related to both the lack of supervisory oversight and corresponding efforts to detect misconduct and impose disciplinary action. We believe that the lack of supervisory oversight and accountability has perpetuated a culture of time fraud within CCHHS. The OIIG investigations considered as part of this review have documented that timekeepers and supervisors are not actively engaged in identifying this form of misconduct. Accordingly, we made a number of recommendations to address this problem including training and better enforcement policies and techniques. CCHHS responded on February 11, 2015 that it has convened a committee of representatives to address the issues raised by the OIIG and that a supplemental response regarding new policies and training and enforcement will be forthcoming at a later date. We have not received an update since the initial response.

IIG15-0003. In January of this year, the OIIG developed information that employees and other resources under the management of the Bureau of Administration were being redirected on behalf of a particular local non-profit organization. Specifically, high ranking officials, including an official who sat by designation of the Cook County Board President on the board of the subject non-profit organization, directed Cook County employees in December of 2014 to perform various support services on behalf of the non-profit organization as it sought to move part of its operations from Chicago to a suburban location while suffering from mismanagement and heavy debt. The County officials directed those employees to utilize Cook County assets in furtherance of this effort. These services and assets included site visits to examine and study the private facilities, training provided by County personnel regarding best practices in inventory and warehouse procedures, training regarding implementation of recycling and salvage programs, the full logistical responsibility for effecting the move, the provision of all pallets and packing materials necessary to move approximately 3000 boxes and 500 file cabinets, palletizing of materials by County personnel, the use of several County employees, multiple County vehicles and dozens of Sheriff's Work Alternative Program laborers to move property during a one month period. Additional support was provided by the Bureau of Technology to address logistics associated with the transfer of telephone service and services provided by the Industrial Engineering Division.

The evidence obtained during the investigation demonstrates that the subject non-profit organization received a substantial direct benefit from hundreds of hours of labor by County employees and the use of County assets in order to move its property from Chicago to a suburban location. By examining the rate of pay of the County employees used to perform this service, we estimated the County expended approximately \$10,000.00 for this labor alone, which

does not factor in the costs of the pallets and packing materials, the use of County vehicles, the cost of fuel, overtime or any other costs associated with the support services provided by other County departments.

The County's resources, both human and otherwise, are of substantial value and are solely dedicated to County business. Moreover, the nature of the resources provided are not unique to government operations and could have been acquired in the private sector. We believe the discretionary use of such resources to benefit a select private organization constitutes misuse of government resources prohibited by Section 2-576 of the Code of Ethics. The situation is further aggravated by the fact that a member of the non-profit organization's board of directors and a family member have donated several thousand dollars in cash and in-kind contributions to a Cook County elected official since 2010 which creates the potential for an actual or perceived conflict of interest. For all of these reasons, we recommended that the practice of using County resources to benefit outside private organizations be discontinued.

We have not received a response to our recommendation. After the issuance of our summary report and recommendation, on February 10, 2015, the Cook County Board President and the Board of Commissioners approved a resolution supporting the assistance provided to the subject non-profit organization and authorized the use of County resources in support of that organization. The resolution further required the President or her designee to provide the Members of the Board of Commissioners, within six months, a summary of the assistance provided by Cook County to the subject entity.

IIG15-0007. This investigation involved a Post-SRO complaint filed pursuant to the *Supplemental Relief Order for Cook County* ("SRO") entered in connection with the *Shakman v. Cook County Recorder of Deeds*, 69 C 2145 (N.D. Ill.) litigation. The complainant is a former clerk with the Cook County Recorder of Deeds who claimed that he was terminated to create a vacancy for the Recorder to fill with a friend, family member or political associate. After conducting its investigation and analyzing the timeliness of the complainant's claim, the OIIG determined that the complaint was not subject to review because of the application of the limitations period specified in Section V of the SRO.

IIG15-0019. The OIIG opened this investigation after receiving information that a college student had been regularly attending autopsies at the Cook County Medical Examiner's Office ("ME") and classifying herself as a Cook County "Intern" on her social media pages. The ME does not have an intern program. The OIIG determined that the ME violated Section XI of the Cook County Employment Plan in that the ME utilized an intern without following the General Hiring process or reliance upon an established program administered by an academic institution. Although senior staff members stated their belief that the subject student was not an intern within the meaning of the Employment Plan *so long as they did not refer to her as such*, we believe the evidence establishes that the student was functioning as an intern. We are concerned that senior staff members recognized a potential Employment Plan violation yet sought to remedy the concern by simply avoiding the use of the term "intern" and referring to the student using a different title. While the senior staff of the ME have all received the appropriate

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Employment Plan training, we recommended further training for executive and medical staff and further recommended that the ME train its employees on both the visitor policy and appropriate shadowing policy. We have been notified by the Office of the Medical Examiner that the recommendation will be implemented.

IIG15-0062. In the process of reviewing procurement related matters involving the Cook County Health and Hospitals System (CCHHS), the OIIG identified an apparent lack of compliance in maintaining the Supply Chain Management (SCM) Public Communication Log. The SCM Procurement Policy requires that the CCHHS SCM Director establish procedures to ensure that communications from individuals outside CCHHS regarding a purchase shall be memorialized and maintained in the procurement file. It further requires that communications about a purchase from or on behalf of a CCHHS Director or elected official be memorialized and maintained in the procurement file. Also, a listing of such communications are to be memorialized in a log maintained by the CCHHS SCM Director and posted on the SCM web page.

A review was conducted of the Public Communication Log for the years 2012 through 2015. It was observed that although there were numerous contacts recorded for the years 2012 (i.e., 230 entries) and 2013 (i.e., 119 entries – although the last entry was dated May 30, 2013), there were suspiciously few contacts documented for 2014 (i.e., six – four in May, one in October, and one in December) and 2015 (i.e., four as of January 23, 2015). The preponderance of the evidence obtained during this investigation supports the conclusion that during the period of June 2013 through calendar year 2014, SCM failed to comply with the Procurement Policy as it relates to the reporting of outside communications. In addition, based on the observation that there are only four entries to date in 2015 documented on the Public Communication Log – and those entries only relate to January – it is reasonable to conclude that this failure to comply with the Procurement Policy is ongoing. It appears that the problem was caused in part by some confusion over the policy and its requirements. We recommended that CCHHS management take action to come into compliance with the SCM Procurement Policy by maintaining the Public Communication Log completely and contemporaneously. This recommendation is currently pending.

IIG15-0083. The OIIG received an allegation that an applicant for a position with the Cook County Department of Revenue provided false information to the Cook County Bureau of Human Resources (“BHR”) in his application for the position. Specifically, the applicant stated in his application that he earned a college degree, but the transcript from his university failed to indicate that he graduated. The applicant was currently working in the Department of Revenue in a different position which also required a college degree.

The investigation revealed that the applicant did not attempt to deceive or omit a material fact during the application process, but rather that his university transcript contained an error as confirmed by the university during the investigation. However, the investigation did reveal that BHR staff failed to properly review the applicant’s transcript previously when he applied for his current position. Based upon this finding, our office recommended that BHR ensure that all

requisite transcripts and other documents be carefully reviewed as part of the validation process. This recommendation is currently pending.

Outstanding Recommendations

In addition to the new cases being reported for this quarter, the OIIG has followed-up on outstanding recommendations for which no response was received at the time of our last quarterly report. Under the OIIG Ordinance, responses from management are required within 30 days of an OIIG recommendation. Below is an update on these outstanding recommendations.

IIG10-0038. This matter involved a follow-up to a prior case and recommendation involving several county officials directing third party contractors to hire favored individuals in an effort to circumvent the scrutiny that would prevent the hiring of such individuals into Cook County positions. We recommended amending the County's Employment Plan or Human Resources Ordinance to prevent such circumstances from recurring. The OIIG had not received a response to this recommendation as of last quarter and has not received a response from the County as of this date.

IIG13-0015. The OIIG recommended that the Letter of Intent in County contracts require specific information to support the commercially useful function that will be performed under the contract including but not limited to, the deliverables and time table for performance. We also strongly recommended that protocols should be established to include user agencies in monitoring and reporting M/WBE participation as part of their project management responsibilities. In addition, the OIIG restated its previous recommendation that Cook County government implement a policy, resolution or enactment to the Code of Ordinances to require County employees involved in the contracting process to report to this office instances in which contact is made by a politically-related person or organization that involves an attempt to influence a procurement action. The County has not responded to our recommendation.

IIG14-0009. The OIIG recommended termination of employment for a hospital employee who submitted false time records and left her work station for extended periods of time in violation of hospital personnel rules. We also recommended supervisory changes. Cook County Health and Hospitals System adopted our recommendation and initiated a disciplinary proceeding. As a result of the hearing officer's findings, the employee was terminated.

IIG14-0053. The OIIG recommended that CCHHS pursue contract cancellation and disqualification and possibly pursue the imposition of fines in accordance with Section 6.7 of the CCHHS Supply Chain Management Procurement Policy (False Statements) for a prime contractor who violated the Minority and Women Owned Business Enterprises (M/WBE) provisions of the Cook County Code and CCHHS Procurement Policy. CCHHS had not responded to our recommendations as of our January 15, 2015 Quarterly Report and has not responded to our recommendations as of this date.

IIG14-0186. After finding material deficiencies in connection with the inventory of patient valuables at Provident and Stroger Hospitals and the program protocols to properly manage the collection, maintenance and return/disposal of patient property, the OIIG made several recommendations for hospital officials to establish a uniform policy designed to properly manage patient property including the implementation of verification procedures, the installation of surveillance cameras, and updating the current inventory tracking system. CCHHS has requested an extension of time to respond to the pending recommendations and has indicated that amended policy is forthcoming.

IIG14-0382. After receiving a complaint that three employees in CCHHS were stealing diapers, milk and other inventory out of the supply rooms, the OIIG recommended that CCHHS implement an internal control system to assist in safeguarding the supplies. CCHHS had not responded to our recommendations as of our January 15, 2015 Quarterly Report and has not responded to our recommendations as of the date of this report.

IIG14-0287. The OIIG initiated this investigation after receiving information that a janitor was allegedly stalking a female patron who frequented the Clerk's Office in a Cook County Courthouse. After conducting a thorough investigation and interviewing witnesses, the OIIG determined the allegations to be credible and found that the janitor violated personnel rules prohibiting visitor abuse and harassment and violated a prior arbitration order as well. Based on this violation and a prior history of incidents and discipline, the OIIG recommended that the subject employee be terminated. Our recommendations were adopted.

IIG14-0461. In this matter, the OIIG recommended that Cook County adopt job descriptions for members of the Cook County Employee Appeals Board. The job descriptions should be made subject to the provisions of the Employment Plan regarding exempt employees (Employment Plan, Art. XII). We further recommended that the job descriptions account for the varied responsibilities of Members and incorporate minimum qualifications which reflect education and experience regarding employment law, Human Resources and contested evidentiary hearings. Finally, we recommended that the job descriptions require an amount of previous education and experience which recognizes the significant power and authority held by each Member to receive evidence at an evidentiary hearing and issue rulings on employee appeals. We have not yet received a response from the County on this matter.

Activities Relating to Unlawful Political Discrimination

Political Contact Logs (PCLs)

In April of 2011, the County implemented the requirement to file Political Contact Logs with the Office of the Independent Inspector General. The Logs must be filed by any County employee who receives contact from a political person or organization or any person representing any political person or organization where the contact relates to an employment action regarding any non-Exempt position. The IIG acts within his authority with respect to each

Political Contact Log filed. From January 1, 2015 to March 31, 2015, the Office of the Independent Inspector General received nine Political Contact Logs.

Post-SRO Complaint Investigations

During this reporting period, the OIIG has received no additional Cook County *Shakman* Post-SRO Complaints and has issued two Summary Reports regarding Cook County *Shakman* Post-SRO Complaints. Two Complaints are currently under investigation.

Training

The OIIG continues to collaborate with the Bureau of Human Resources (“BHR”) and the Board of Ethics (“Ethics”) in a joint project to provide both online and in-person annual training for Cook County employees regarding the Ethics Ordinance, the Employment Plan and Unlawful Political Discrimination related issues. The OIIG has been both monitoring and participating in the implementation of the training. Additionally, within the Cook County Health and Hospital System, the OIIG has assisted the HHS Employment Plan Officer in conducting over 25 training sessions for HHS personnel. The HHS universal training will continue into the coming months.

New UPD Investigations not the result of PCLs or Post-SRO Complaints

In addition to the PCL and Post-SRO activity discussed above, the OIIG has opened 16 additional UPD matters during the last reporting period on the exercise of our own discretion in accordance with the OIIG Ordinance.

Employment Plan – Do Not Hire Lists

Since the last report, the OIIG continues to collaborate with the County regarding Employment Plan provisions concerning Do Not Hire lists, has implemented its own such list and has made recommendations to Cook County, the Forest Preserve District, the Cook County Health and Hospital System and the Cook County Recorder of Deeds regarding the need for uniformity and reciprocity of lists among the various entities.

OIIG Review per Employment Plans

In accordance with the Cook County, HHS and Forest Preserve District Employment Plans, the OIIG reviews, *inter alia* (1) the hire of *Shakman* Exempt employees, (2) proposed changes to Exempt Lists, Actively Recruited lists, Employment Plans and Direct Appointment lists, (3) FPD employment postings limited to internal candidates and (4) Supplemental Policy activities. In the last quarter, the OIIG has reviewed and acted within its authority regarding:

1. The hiring of 19 *Shakman* Exempt Cook County employees;
2. The Direct Appointment of ten HHS employees;

3. One proposed change to the Cook County Actively Recruited List;
4. One action under the Employment Plan Supplemental Policies;
5. Four proposed changes to the HHS Direct Appointment List;
6. One proposed change to the HHS Employment Plan.

Monitoring

The OIIG currently tracks all disciplinary activities in the FPD and conducts selective monitoring therein. Since the filing of the last report, the FPD has hired a Director of Compliance and, thus, relieved this office of its interim shared role in fulfilling those duties. Please note that the FPD requested that I participate in the interview and selection process in filling this position. Additionally, the OIIG continues to track disciplinary activities and related grievances in Cook County, including EAB proceedings. Finally, pursuant to an agreement with the Bureau of Human Resources, the OIIG has begun tracking and selective monitoring of hiring sequences in Cook County.

Miscellaneous

An investigation by the OIIG last year has led to criminal charges being filed this month against a former Cook County Health and Hospitals System supervisory employee. Our investigation (IIG13-0029) was initiated based on a complaint alleging employee theft of government funds from the pharmacy daily cash receipts of a hospital within the Cook County Health and Hospitals System. The investigation involved a review of records, numerous employee interviews and a review of video surveillance taken by a camera covertly installed in the subject employee's office. Evidence obtained during the investigation showed that the subject employee not only engaged in theft of daily cash receipts at the hospital pharmacy but also destroyed actual register tapes and generated false register tapes to cover up his misconduct. He has been charged with felony counts of Official Misconduct and Theft of Government Funds for conducting an ongoing scheme to steal thousands of dollars from co-pays and deductibles that hospital patients paid for their medications.

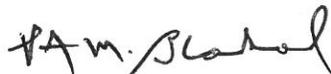
As you are aware, on August 21, 2014, the Cook County Circuit Court entered judgment in favor of the OIIG upholding the jurisdictional scope of the OIIG Ordinance in the matter of *Blanchard v. Berrios*, 2013 CH 14300 (Cir. Ct.). The Office of the Assessor has appealed the Circuit Court's judgment. The parties are currently briefing the issues in the Illinois Appellate Court.

Finally, in March, this office hosted a U.S. Department of State sponsored delegation of 13 government leaders from Iraq to examine the role and techniques utilized by the OIIG in combating fraud and promoting transparency and accountability in government. The participants included members of parliament, the Iraq Commission on Integrity, Independent High Electoral Commission and other representatives of the government.

Hon. Toni Preckwinkle and
Members of the Board of Commissioners of Cook County
April 15, 2015
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Thank you for your time and attention to these issues. Should you have any questions or wish to discuss this report further, please do not hesitate to contact me.

Very truly yours,



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cc: Ms. Kimberly Foxx, Chief of Staff
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